

PB# 87-30

**Myhed Corp.
(Never Materialized)**

22-1-2

MYHED CORPORATION SUB. 87-30

Kennedy

Never Materialized

General Receipt

8795

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

April 1 19 87

Received of Patrick J. Kennedy, L.S. \$ 25.00

Twenty-five and 00/100 DOLLARS

For Planning Board Application Fee 87-30

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1795		25.00
Myhed Corp.		

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline M. Townsend ES

Town Clerk
Title

County File No. NWT 7-87 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Myhed Corp.
for a Minor Sub.
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.

By W. Eugene W. Johnson
ES
Town Clerk
Title

**This card must be returned to the Orange County Department of Planning
within 7 days of local action.**

11/25/2011 ✓
 12/1/2011 ✓
 12/15/2011 ✓
 12/22/2011 ✓
 12/29/2011 ✓
 1/5/2012 ✓
 1/12/2012 ✓
 1/19/2012 ✓
 1/26/2012 ✓
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 10/22/2016 ✓
 10/29/2016 ✓<

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN OR
SUBDIVISION PLAN APPROVAL

1. Name of Project ^{Minor} Subdivision of Lands for Myhed Corporation
2. Name of Applicant Myhed Corp. Phone 562-4451
Address P.O. Box 1150, Newburgh, New York 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record same as applicant Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Patrick T. Kennedy Phone 562-6444
Address 335 Temple Hill Rd, New Windsor, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the S.E. Corner ~~side of~~ of the intersection
of Erie Ave ~~and~~ and Union Ave. (Street)
(Direction) (County Hwy #69)
of _____
(Street)
7. Acreage of Parcel 5.528 ac 8. Zoning District R-4
9. Tax Map Designation: Section 22 Block 1 Lot 2
10. This application is for 3 lot minor subdivision -
lots #1 & 2 have existing structures
11. Has the Zoning Board of Appeals granted any variance or a
special permit concerning this property? yes

If so, list Case No. and Name Case No. 86-26

12. List all contiguous holdings in the same ownership NONE
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at _____
in the County of _____ and State of _____
and that he is (the owner in fee) of _____
_____ (Official Title)
of the Corporation which is the Owner in fee of the premises
described in the foregoing application and that he has authorized
_____ to make the foregoing
application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

30th day of March 1987

Peggy Fitzgerald
Notary Public

PEGGY FITZGERALD
Notary Public, State of New York
In and For Orange County
Commission Expires March 30, 1988

8/31/88

[Signature]
Owner's Signature

Myko Corp
(Applicant's Signature)

Pres.
(Title)

SHORT ENVIRONMENTAL ASSESSMENT FORM

Appendix B Part 617

Project Title: Subdivision of Lands for

Location: S.E. Corner of Erie Ave and Union Ave. (O.C. Hwy #69)

ID Number: Tax Map Section 22, Block 1, Lot 2

INSTRUCTIONS:

- (a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.
- (b) If any question has been answered **Yes**, the project may have a significant effect and the full Environmental Assessment Form is necessary. **Maybe** or **Unknown** answers should be considered as **Yes** answers.
- (c) If all questions have been answered **No** it is likely that this project will not have a significant effect.
- (d) If additional space is needed to answer the questions, please use the back of the sheet or provide attachments as required.

ENVIRONMENTAL ASSESSMENT

- | | YES | NO |
|--|--------------------------|-------------------------------------|
| 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will there be a major change to any unique or unusual land form found on the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will project alter or have a large effect on an existing body of water? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Will project have an adverse impact on groundwater quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will project significantly effect drainage flow on adjacent sites? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will project affect any threatened or endangered plant or animal species? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Will project result in a major adverse effect on air quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Will project have a major effect on the visual character of the community or scenic views or vistas known to be important to the community? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Will project adversely impact any site or structure of historic, prehistoric, or paleontological importance or any site designated as a Critical Environmental Area by a local agency? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Will project have a major adverse effect on existing or future recreational opportunities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Will project result in major traffic problems or cause a major effect to existing transportation systems? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is project non-farm related and located within a certified agricultural district? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Will project have any adverse impact on public health or safety? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Is there public controversy concerning any potential impact of the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

FOR AGENCY USE ONLY

Preparer's Signature: Patricia L. Kennedy

Date: 3/24/87

Preparer's Title: Land Surveyor

Agency: _____

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

Joseph A. Fiore, Jr., deposes and says that he
resides at 1 Babbitt Ct, Elmsford,
(Owner's Address)

in the County of Westchester
and State of New York 10523

and that he is the owner in fee of Tax Map Section 22,
Block 1, Lot 2

which is the premises described in the foregoing application and
that he has authorized Patrick T. Kennedy, L.S.
to make the foregoing application as described therein.

Date: March 30, 1987

[Signature]
(Owner's Signature)

[Signature]
(Witness' Signature)



Louis Helmbeck
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTürk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by THE NEW WINDSOR PLANNING BOARD D P & D Reference No. MAIT 7-87N
County I.D. No. 22, 1, 1, 2

Applicant PRIMED CORPORATION

Proposed Action: MINOR SUBDIVISION - 4.21 ACRES

State, County, Inter-Municipal Basis for 239 Review FRONTAGE/ACCESS CR#69

County Effects: _____

A CONSIDERATION: FUTURE OF THIS AREA
AS A RESIDENTIAL NEIGHBORHOOD AND THE
FURTHER SUBDIVISION OF LOT #3

Related Reviews and Permits _____

County Action: ✓ Local Determination _____ Approved _____ Disapproved _____

Approved subject to the following modifications and/or conditions: _____

APRIL 22, 1987
Date

Peter Garrison
Commissioner

☐ Postcard Returned
Date _____

BUILDING INSPECTOR, P.B. ENGINEER,
WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Patrick T. Kennedy for the building or subdivision of
Myhed Corp. has been
reviewed by me and is approved _____ ✓
disapproved _____.

If disapproved, please list reason.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr.
SANITARY SUPERINTENDENT

April 21, 1987
DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

MYHED CORPORATION

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 21 April 1987.

☒ The site plan or map was approved by the Bureau of Fire Prevention.

☐ The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

SIGNED: Richard Hotelling
CHAIRMAN

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of
MYHED CORP./SMITH, EVERETT & MARY

DECISION GRANTING
USE & SIGN VARIANCE

#85-25.
-----x

WHEREAS, MYHED CORP., (owner) a domestic corporation having an office in Newburgh, N. Y., and EVERETT & MARY SMITH, R.D. #4, Vascello Road, New Windsor, (lessee), have made application before the Zoning Board of Appeals for a use and sign variances for the purposes of:

Permission for conversion of existing building to office use to house newspaper office with the additional use of rental of a separate section for commercial use, plus replacement of existing sign.

WHEREAS, a public hearing was held on the 11th day of August, 1986 at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, Applicant EVERETT SMITH, appeared in behalf of himself and owner, MYHED; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant owner MYHED has an existing non-conforming building in an R-4 zone which was used as a construction office previously.

3. The evidence shows that the construction business which was preexisting has been closed for more than a period of two (2) years and has since lost its nonconformity.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of a reasonable use of such land.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone since the building has always housed a commercial business and that the property has been offered for sale for residential purposes but has not been able to be sold as zoned.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a use variance and 32 sq. ft. sign area variance for preexisting sign to applicant in accordance with plans filed with building permit application.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: September 8, 1986.


Chairman

BUILDING INSPECTOR, P.B. ENGINEER,
WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____
Subdivision Mykes Corp as submitted by
Kennedy for the building or subdivision of
_____ has been
reviewed by me and is approved Yes,
disapproved _____.

If disapproved, please list reason.

Fred Lays Jr. Mo
HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

6/2/87
DATE

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

-----X

In the Matter of the Application of
MYHED CORP./SMITH, EVERETT & MARY

DECISION GRANTING
USE & SIGN VARIANCE

#85-25.

-----X

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Chairman



Louis Heimbock
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

**ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report**

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by THE NEW WINDSOR PLANNING BOARD D P & D Reference No. WNT 7-87N
County I.D. No. 22 / 1 / 2

Applicant MYLLED CORPORATION

Proposed Action: MINOR SUBDIVISION - LOT #3

State, County, Inter-Municipal Basis for 239 Review FRONTAGE/ADJACENT COR#69

County Effects: _____

A CONSIDERATION: FUTURE OF THIS AREA
AS A RESIDENTIAL NEIGHBORHOOD AND THE
POSSIBLE SUBDIVISION OF LOT #3

Related Reviews and Permits _____

County Action: ✓ Local Determination _____ Approved _____ Disapproved _____

Approved subject to the following modifications and/or conditions: _____

APRIL 22, 1987
Date

☐ Postcard Returned
Date _____

Peter Garrison
Commissioner



TOWN OF NEW WINDSOR

SIGNED: Richard Hotelling
CHAIRMAN

BUILDING INSPECTOR, P.B. ENGINEER,
WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Patrick T. Kennedy for the building or subdivision of
Myhed Corp. has been
reviewed by me and is approved _____
disapproved _____.

If disapproved, please list reason.

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lyman D. Masten Jr.
SANITARY SUPERINTENDENT

April 21, 1987
DATE



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Myhed Corp. Subdivision
PROJECT LOCATION: Union Avenue and Erie Avenue
NW: 87-30
8 July 1987

1). The Applicant has submitted a plan for the subdivision of a 5.5 +/- acre parcel into three (3) lots.

2). The Board should note that the Plan appears acceptable with regard to bulk table compliance, with the exception of the existing non-conformances for front yard set backs of existing structures.

3). The Applicant should be advised that the Subdivision Plan as submitted is not considered a Site Plan submittal for Lot No.

1. A separate Site Plan application with complete submittal must be made for any proposed improvements on that lot. References to such improvements should be removed from this Subdivision Plan.

4). The Board should obtain a copy of the variance as granted for the print shop and professional office space indicated for proposed Lot No. 1. In review of same, it should be determined if the variance is for use only, or included any area variances. If the variance was for use only, the Applicant should be advised that the development of Lot No. 1 may require additional variances if the Site Plan is submitted as shown on this Subdivision Plan.

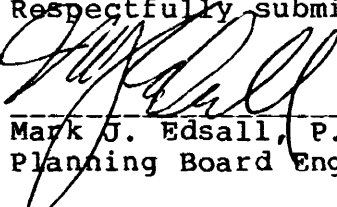
5). The Board may wish to consider that as a condition of the subdivision, access to Lot No. 1 be restricted to a single driveway located in the southern corner as shown.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Myhed Corp. Subdivision
PROJECT LOCATION: Union Avenue and Erie Avenue
NW: 87-30
8 July 1987
Sheet 2

6). The Board should, for the record, determine if a Public Hearing will be required for the proposed minor subdivision or if a waiver for same will be granted per Paragraph 4.B of the Subdivision Regulations.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJE:EnjE

Mr. Lucas: Thank you.

MYHED CORP. SUBDIVISION (87-30)

Mr. Patrick Kennedy came before the Board representing this proposal.

Mr. Kennedy: What the client is proposing at this point in time is just to cut off two lots around those existing structures. There is an existing house there being used for residential purposes and you have that building that is there. I did have a pererspective tenant for the buiding I believe that deal fell or has fallen through although a variance was granted for the use somebody comes along with another use we are going to wind up going to the Zoning Board so I don't know what the building will be used for.

Mr. Van Leeuwen: How many square feet are the lots?

Mr. Kennedy: 15,000 square feet.

Mr. Jones: Are you using the well?

Mr. Kennedy: I don't know.

Mr. Jones: They have got water.

Mr. Mc Carville: They show septic too.

Mr. Kennedy: The commercial building was a proposal by Everett Smith to buy for the Sentinal that deal fell through he did go to the Zoning Board of Appeals and he did get a variance for his use but I believe the deal fell through since then.

Mr. Mc Carville: The septic should be tied into the sewer.

Mr. Kennedy: It is a tank it is physically there I don't know if it is in use.

Mr. Jones: You also have a well on there. There is city water there.

Mr. Kennedy: If I am not mistaken you are made to hook up to the sewer but not to the water.

Mr. Mc Carville: I think we ought to know if there is a well on there for lot 1 and a septic for lot 1. Has that thing that looks like a trailer been removed?

Mr. Kennedy: That is old, the tracks used to come right across here the trains used to come by and dump whatever.

Mr. Edsall: I am not saying that I want a site plan I am saying subdivision plans shouldn't reflect site improvements so it shouldn't be on this plan. Proposed parking area and those things shouldn't be on because it is a subdivision.

Mr. Kennedy: We put it on before the deal fell through.

Mr. Edsall: It is a subdivision not a site plan. It has to be a separate plan.

Mr. Reyns: The question is could or would we have any objection to this being subdivided. He's going to have to come back with a subdivision map and then come back with another site plan so what is he is asking us tonight is there any reason we have an objection or do we have any objection to this?

Mr. Mc Carville: Isn't there a rule that says when you subdivide you can't resubdivide for a period of three years?

Mr. Kennedy: We can't come in with another minor but we can come in with a major.

Mr. Van Leeuwen: What are the future plans for this?

Mr. Kennedy: To come over Erie with a cul-de-sac and take off the residential lots single family homes.

Mr. Mc Carville: I'd rather see the building down.

Mr. Mc Carville: It is not really a suitable business location because of the Erie traffic congestion here the consideration should be given to eliminating the building entirely.

Mr. Kennedy: I don't know whether they will come back with anything similar to the Sentinal but they do have a variance to use the building, the variance is good for a year.

Mr. Mc Carville: Who got the variance?

Mr. Kennedy: Everett Smith.

Mr. Van Leeuwen: I think we ought to go down and look at it.

Mr. Mc Carville: My feeling is if it is going to go residential it ought to go residential all the way.

Mr. Van Leeuwen: I think to see the building refurbished before you start to do the subdivision work, if it isn't demolished.

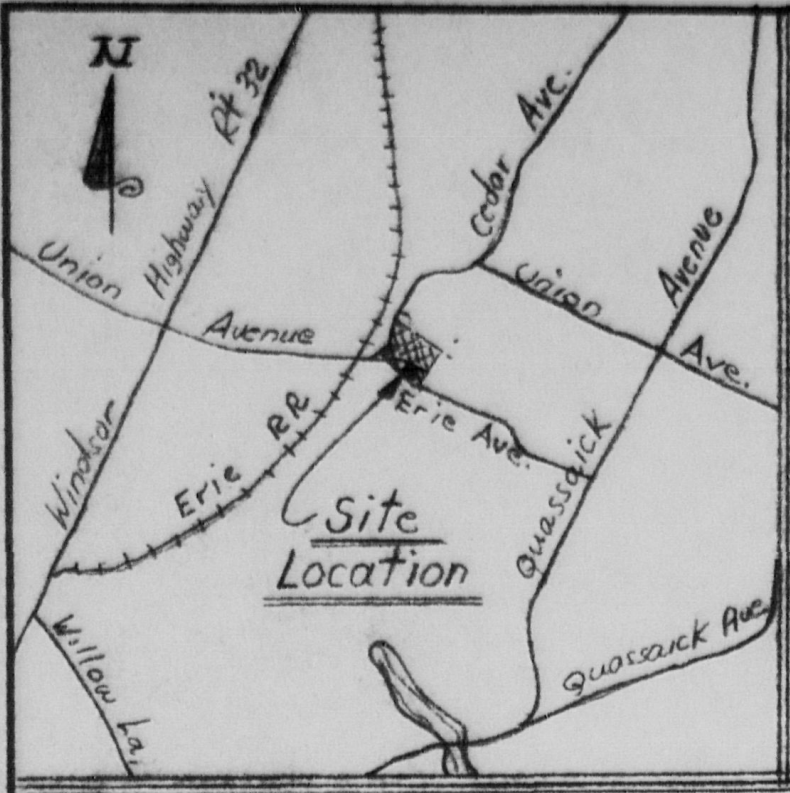
Mr. Kennedy: Thank you.

NEW WINDSOR BUSINESS PARK SITE PLAN (86-65)

Mr. Don Witfield came before the Board along with Mr. Miller representing this proposal.

Mr. Reyns: What date was this submitted?

Mr. Witfield: It was submitted 6/16/87. This is a copy of it and where you can all see it the only difference is that we are connecting the loop here on the half of the right of way since the other half is not part of this right now. We have added a flag pole and we have met with the State DOT and have approvals on both connections in the future and this one presently. Other than that I think



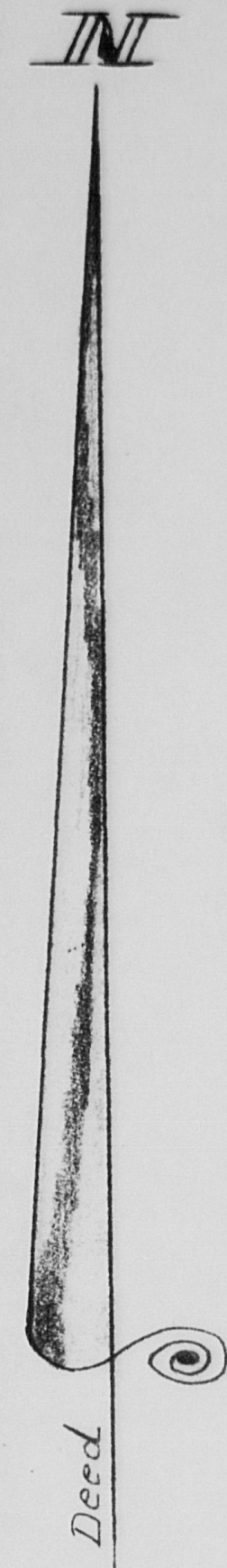
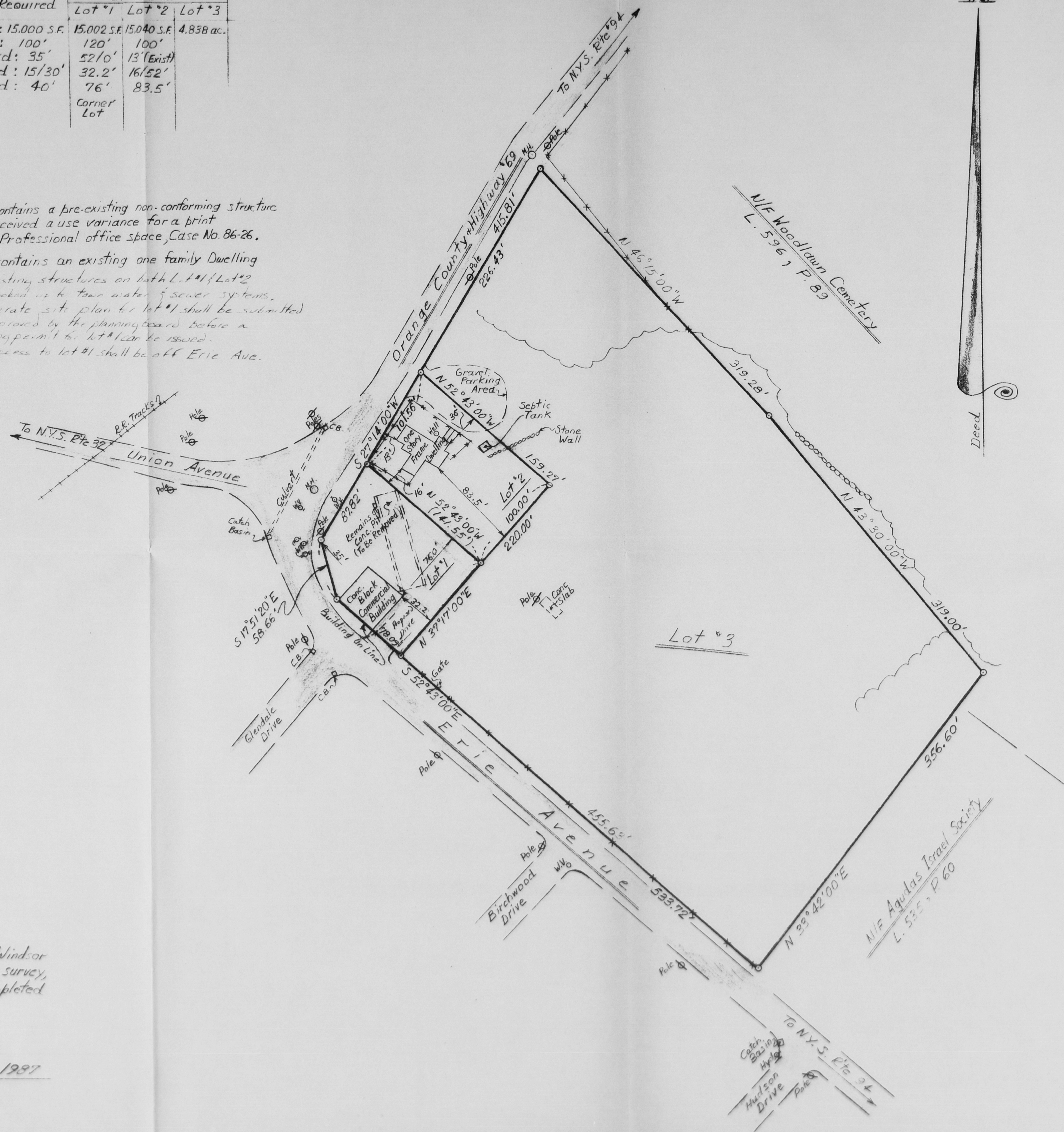
Location Map
Scale: 1"=2,000'

Zoning District: R-4
One Family - Residential
Provided

Minimum Required	Lot *1	Lot *2	Lot *3
Lot Area: 15,000 S.F.	15,002 S.F.	15,040 S.F.	4,838 ac.
Lot Width: 100'	120'	100'	
Front Yard: 35'	52/0'	13' (Exist)	
Side Yard: 15/30'	32.2'	16/52'	
Rear Yard: 40'	76'	83.5'	
	Corner Lot		

Notes:

- 1) Lot *1 contains a pre-existing non-conforming structure which received a use variance for a print shop & Professional office space, Case No. 86-26.
- 2) Lot *2 contains an existing one family Dwelling
- 3) The existing structures on both Lot *1 & Lot *2 are hooked up to town water & sewer systems.
- 4) A separate site plan for lot *1 shall be submitted and approved by the planning board before a building permit for lot *1 can be issued.
- 5) The access to lot *1 shall be off Erie Ave.



Tax Map Data:
Section: 22
Block: 1
Lot: 2

Deed Reference:
Liber 2387, Page 218

Record Owner & Subdivider:
Myhed Corp.
P.O. Box 1150
Newburgh, New York 12550

The Owners of the Proposed Site Plan have reviewed this plan & are in concurrence with the information & proposals shown thereon.

Area: 5.528 acres

New Map
8-19-81

To Myhed Corp. and The Town of New Windsor
certified to be a correct & accurate survey,
based on an actual field survey completed
August 27, 1986

March 24, 1987



Patrick T. Kennedy L.S. 335 Temple Hill Road - New Windsor, New York 12550	
SCALE: 1"=50'	REVISION: A.C. 1/87
DATE: Feb. 24, 1987	DRAWN BY: [Signature]
Subdivision of Lands for Myhed Corp.	
Town of New Windsor Orange County, New York	
DRAWING NUMBER: 86-605	

1. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2 of the N.Y. State Education Law.
2. Only copies from the original of the survey marked with an original of the land surveyor's (red) seal or his embossed seal shall be considered to be valid true copies.
3. Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the assignee of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
4. Underground improvements or encroachments, if any, are not shown hereon.